



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Forusz et al.

Serial No. 10/057,156

Filed: October 25, 2001

For: Composition for Increasing Bone

Density

Examiner: Frank I. Choi

Art Unit 1616

Confirmation No.

5/12 549/8 10-17-02

AMENDMENT AND RESPONSE TO OFFICE ACTION

Box Amendments - No Fee Assistant Commissioner for Patents Washington, D.C. 20231

Dear Sir:

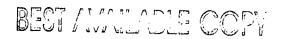
In response to the Office Action mailed June 27, 2002, Applicants respectfully request entry of the following amendments.

IN THE SPECIFICATION

Please amend the Specification as follows:

[0025] In one embodiment, the composition as a beverage includes a stabilizing agent to facilitate the solubilization of the individual components in solution. The stabilizing agent is one or more of a maltol commercially available from Cultor Food Science, Inc. of Ardsley, New York; a composition of carrageenan and maltodextrin such as sold under the trademark INSTA*THICK C-15LTM by Zumbro Inc. of Hayfield, Minnesota; or a xanthan gum such as sold under the trademark KELTROLTM, by NutraSweet Kelco Company of Deerfield, Illinois. Preferably, a composition is combined with a combination of maltol and a composition of carrageenan and maltodextrin or a composition of maltol and xanthan gum(s). In this manner, the solubility of the individual components of the composition, particularly soy isoflavones, is improved. A suitable range of maltol in a beverage composition is 0.1 g to 0.4 g for a 240 mL composition. In a composition





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PTO/SB/21 (08-00)
Approved for use through 10/31/2002, OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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10/057,156

Application No.

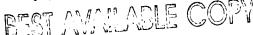
TRANSMITTAL FORM Filing Date October 25, 2001 (to be used for all correspondence after initial filing) First Named Inventor Samuel L. Forusz Group Art Unit 1616 **Examiner Name** Frank I. Choi Total Number of Pages in This Submission 18 Attomey Docket Number 70452P001C **ENCLOSURES** (check all that apply) After Allowance Communication to Group Assignment Papers (for an Application) Fee Transmittal Form Appeal Communication to Board of Appeals and Interferences Fee Attached Drawing(s) Amendment / Response Appeal Communication to Group Licensing-related Papers (Appeal Notice, Brief, Reply Brief) After Final Petition Proprietary Information Affidavits/declaration(s) Petition to Convert a Provisional Application Status Letter Extension of Time Request Other Enclosure(s) Power of Attorney, Revocation Change of Correspondence Address (please identify below): **Express Abandonment Request** Terminal Disclaimer Form PTO/SB/08 Information Disclosure Statement Certified Copy of Priority Document(s) Request for Refund Response to Missing Parts/ Incomplete Application CD, Number of CD(s) Remarks Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm William Thomas Babbitt, Reg. No. 39,591 Individual name BLAKELY, SOKOLØFF, TAYLOR & ZAFMAN LLP Signature Date **CERTIFICATE OF MAILING/TRANSMISSION** September 27, 2002 Typed or printed name **Nedy Calderon**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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Signature



September 27, 2002

Date

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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FEE TRANSMITTAL for FY 2002			Complete if Known						
			Application Number 10/057,156 Filing Date October 25, 2001					王	-
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Patent fees are subject to annual revision.			First Named Inventor Samuel L. Forusz			ISZ			
Applicant claims small entity status. See 37 CFR 1.27.			Nam	e		ank I. Choi		9	Ô
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